

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MONICA CARBAJAL-AGUILAR, et al.,
Plaintiff(s),
v.
LOYA INSURANCE COMPANY,
Defendant(s).

Case No. 2:24-cv-02115-RFB-NJK

ORDER

[Docket No. 17]

Pending before the Court is a stipulation to continue the discovery to an unspecified date to take Plaintiffs' depositions. Docket No. 17.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). "The diligence obligation is ongoing." *Morgal v. Maricopa Cnty. Bd. of Supervisors*, 284 F.R.D. 452, 460 (D. Ariz. 2012). The showing of diligence is measured by the conduct displayed throughout the entire period of time already allowed. *See Muniz v. United Parcel Serv., Inc.*, 731 F.Supp.2d 961, 967 (N.D. Cal. 2010) (quoting *Jackson v. Laureate, Inc.*, 186 F.R.D. 605, 607 (E.D. Cal. 1999)).

The instant stipulation does not meet the governing standard. It indicates that Plaintiff Carbajal-Aguilar's deposition has been delayed because she is unavailable to be deposed before May 12, 2025. Docket No. 17 at 2. No explanation is provided, however, as to the details of scheduling this deposition, including why it could not have been taken in the preceding months that discovery has been open. The stipulation also indicates that Plaintiff Paramo's deposition cannot be taken before the discovery cutoff because of the "unforeseen" circumstance that he is incarcerated at Southern Desert Correctional Center. *Id.* Per the state website, however, Plaintiff

1 Paramo has been incarcerated for more than a year, so it is not clear why that circumstance was
2 not foreseen. Lastly, but importantly, the stipulation provides no actual date by which these
3 depositions will be taken. *But see, e.g.,* Local Rule 26-3(d). Although the current request is
4 deficient, the Court will allow a short extension in the interest of the case being decided on its
5 merits and as a one-time courtesy to the parties.

6 Accordingly, the stipulation to extend is **GRANTED** in part and **DENIED** in part.
7 Discovery will close on May 12, 2025, with the sole exceptions that the depositions of Plaintiffs
8 must be taken by May 23, 2025. All other case management deadlines remain unchanged,
9 including that dispositive motions must be filed by June 11, 2025.

10 IT IS SO ORDERED.

11 Dated: May 9, 2025

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Nancy J. Koppe
United States Magistrate Judge
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